REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 11, 13, 15 and 16 have been amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were in the application, irrespective of whether the claims remain under examination in the application, is presented with an appropriate defined status identifier.

Claims 1-19 remain pending in this application.

Claim Rejections under 35 U.S.C. § 112

Claims 11 and 13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The claims have been amended where appropriate. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claim Rejections under 35 U.S.C. § 102(e)

Claims 1-19 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 6,616,453 ("Kouba"). In response, Applicant traverses the rejection for the reasons set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131. Section 103 amplifies the meaning of this anticipation standard by pointing out that anticipation requires that the claimed subject matter must be "identically disclosed or described" by the prior art reference. Here, Kouba fails to satisfy the requirements of 35 U.S.C. § 102(e).

Independent claim 1 is directed to a self-service sales management system. The management system comprises "a skill authentication server; a shop terminal; a customer terminal and a card company server, which are interconnected via a communication network; wherein said skill authentication server comprises a skill authentication test creator for

-12-

creating skill authentication test questions on the basis of a screen input information, calculating a skill authentication result on the basis of a customer test answer information for the skill authentication test questions, and transmitting the customer test answer information and the skill authentication result to said shop terminal and said card company server; said customer terminal comprises a communicator for transmitting the customer test answer information for the skill authentication test questions to said skill authentication server; *said card company server comprises an ID creator for creating an ID card for storing the customer test answer information and the skill authentication result; and said shop terminal comprises a transmitter for transmitting the screen input information to said skill authentication server and a guidance unit for making a guidance on the basis of the customer test answer information and the skill authentication result that are stored in said ID card.*" (Emphasis added.)

Independent claim 11 is directed to a self-service sales management method. The claimed method includes creating skill authentication test questions on the basis of a screen input information; providing the skill authentication test questions to a customer; receiving a customer test answer information from the customer; calculating a skill authentication result on the basis of the customer test answer information for the skill authentication test questions; *transmitting the customer test answer information and the skill authentication result; creating an ID card for storing the customer test answer information and the skill authentication result; and making a guidance on the basis of the customer test answer information and the skill authentication result.*" (Emphasis added.)

Independent claim 12 is directed to a self-services management method. The method comprises "transmitting a home page of a test question creation information input screen regarding a self-service read from a storage unit; *storing a screen input information input into the home page of the test question creation information input screen regarding the self-service in said storage unit*; creating a home page including skill authentication test questions on the basis of the screen input information; transmitting a home page for inputting a personal information of customer, which is read from said storage unit; storing a customer personal information input into the home page for inputting the personal information of customer in said storage unit; transmitting the home page including the skill authentication

test questions, which is read from said storage unit; *storing a customer test answer information that is input into the home page including the skill authentication test questions in said storage unit*; deciding the skill of the customer on the basis of the customer test answer information, and storing the skill authentication result in said storage unit; and *transmitting the customer personal information, the customer test answer information and the skill authentication result that are read from said storage unit.*" (Emphasis added.)

Independent claim 13 is directed to a self-service sales management method. The method comprises "displaying a home page of a test question creation information input screen; transmitting a screen input information input by a operator; storing a customer personal information, a customer test answer information and the skill authentication result in a storage unit of a shop terminal; reading the customer personal information, the customer test answer information and the skill authentication result that are stored in an ID card; rewriting the customer personal information, the customer test answer information and the skill authentication result with the customer personal information, the customer test answer information and the skill authentication result that are stored in the storage unit of said shop terminal upon a rewrite instruction; *comparing the customer personal information, the customer test answer information and the customer skill authentication result from said ID card with the customer personal information, the customer test answer information and the skill authentication result that are stored in the storage unit of said shop terminal,* and *outputting the rewrite instruction, if they are unmatched; and making a guidance on the basis of the customer personal information, the customer test answer information and the skill authentication result that are stored in the storage unit of said shop terminal.*" (Emphasis added.)

Independent claims 14-19 are directed to self-service sales management programs embodied in a computer readable medium that contain similar limitations to those identified above in independent claims 1 and 11-13. Specifically, claims 14 and 17-19 contain similar limitations to the limitations of claims 1 and 11, the limitations of claim 15 are similar to the limitations of claim 12, and the limitations of claim 16 are similar to the limitations of claim 13.

The method and system claimed in claims 1 and 11-19 are directed to making the sale of various self-service commodities and services more efficient. The purpose of the method, system and program claimed in claims 1 and 11-19 is to implement a self-service system in which a customer can accept a service in accordance with the ability of the customer by determining the ability of the customer in advance so that the customer may accept an appropriate service at a shop of the self-service system. The claimed method, system and program provide guidance based on test results. For example and without limitation to the claims, a guidance unit may display guidance corresponding to the user's personal information. That is, if the answer to a question of a test given is unknown, the guidance unit displays "Call the Clerk." The claimed method, system and program also provide guidance based on a comparison of information in a storage unit to information stored in a customer ID card and rewrites the ID card when the two sets of information do not match.

In contrast, Kouba does not disclose, teach or suggest each and every element recited in independent claims 1 and 11-19. Kouba is directed to a testing system for permitting computer-aided instruction and testing at each of a plurality of sites, *See* Kouba, abstract. Kouba discloses that a database server 11 that possesses one or more processors which assemble tests, administer courses and test over the network, and store the results at a relational database 10. *See Id.*, at col. 3, lines 25-32. Kouba also discloses that a computer compares a worker's test answers to the model answers and the test is automatically graded. *See Id.*, at col. 6, lines 8-15. Eventually, a course card is issued to the worker containing the name, picture ID, social security number, and list of courses that the worker has passed. *See Id.*, at col. 6, lines 22-26.

The Office Action broadly asserts that columns 2-8 meet the claim limitations as recited in independent claims 1 and 11-19 without pointing out with any specificity where each and every limitation is disclosed in Kouba. For example, Kouba fails to disclose, teach or suggest, "said card company server comprises an ID creator for creating an ID card for storing the customer test answer information and the skill authentication result; and said shop terminal comprises a transmitter for transmitting the screen input information to said skill authentication server and a guidance unit for making a guidance on the basis of the customer test answer information and the skill authentication result that are stored in said ID card," as

claimed in claim 1, or "transmitting the customer test answer information and the skill authentication result; creating an ID card for storing the customer test answer information and the skill authentication result; and making a guidance on the basis of the customer test answer information and the skill authentication result," as claimed in claim 11. For example, the Office Action broadly asserts that Figure 5 discloses, "said card company server comprises an ID creator for creating an ID card for storing the customer test answer information and the skill authentication result." *See* Office Action, p. 4. But, Figure 5 fails to disclose that the information stored on the ID card includes "test answer information." A list of courses that the worker has passed is not "test answer information" as claimed. Thus, Kouba fails to disclose, teach or suggest, "said card company server comprises an ID creator for creating an ID card for storing the customer test answer information and the skill authentication result."

In addition, Kouba fails to disclose, teach or suggest, "storing a screen input information input into the home page of the test question creation information input screen regarding the self-service in said storage unit," "storing a customer test answer information that is input into the home page including the skill authentication test questions in said storage unit," or "transmitting the customer personal information, the customer test answer information and the skill authentication result that are read from said storage unit," as claimed in claim 12. Further, the Office Action asserts that the information stored in the WORKER tables is analogous to "transmitting the customer personal information, the customer test answer information and the skill authentication result that are read from the storage unit." *See* Office Action, p. 9. However, Kouba discloses that the WORKER tables only store the photograph of a worker and an array of the worksite data where the array of the worksite data includes when and if a worker passed a specific test. *See* Kouba, col. 7, lines 13-19. Accordingly, Kouba fails to disclose that the WORKER tables include "the customer test answer information." Thus, Kouba fails to disclose, teach or suggest, "transmitting the customer personal information, the customer test answer information and the skill authentication result that are read from the storage unit."

Also, Kouba fails to disclose, teach or suggest, "comparing the customer personal information, the customer test answer information and the customer skill authentication result from said ID card with the customer personal information, the customer test answer

information and the skill authentication result that are stored in the storage unit of said shop terminal," and "outputting the rewrite instruction, if they are unmatched; and making a guidance on the basis of the customer personal information, the customer test answer information and the skill authentication result that are stored in the storage unit of said shop terminal," as claimed in claim 13. The Office Action asserts that columns 6 and 7 disclose the rewriting step and comparing step of claim 13. See Office Action, pgs. 9-10. However, nowhere in Kouba does Kouba disclose these steps. Thus, Kouba fails to disclose, teach or suggest all of the limitations of claim 13.

Kouba fails to disclose, teach or suggest the limitations of independent claims 14-19 for reasons similar to those set forth above.

M.P.E.P. § 2131 states that"[t]he identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *See In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Here, Kouba fails to disclose each and every limitation in as complete detail as is contained in independent claims 1 and 11-19.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and independent claims 1 and 11-19 be allowed. Further, claims 2-10 depend from claim 1 and should be allowed for the reasons set forth above.

If this rejection of the claims is maintained, the examiner is respectfully requested to point out with greater specificity where each of the above-mentioned features are disclosed in Kouba.
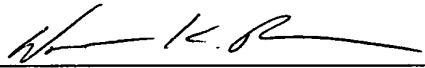
Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 4/2/09

By _____

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Attorney for Applicant
Registration No. 38,072

Walter K. Robinson
Attorney for Applicant
Registration No. 59,396